

**CITY COUNCIL MEETING
CITY OF WATERTOWN
January 20, 2015
7:00 p.m.**

Mayor Jeffrey E. Graham Presiding

Present: Council Member Roxanne M. Burns
Council Member Joseph M. Butler, Jr.
Council Member Stephen A. Jennings
Council Member Teresa R. Macaluso
Mayor Graham

Also Present: Sharon Addison, City Manager
Robert J. Slye, City Attorney

City staff present: Jim Mills, Ken Mix, Justin Wood, Amie Davis, Amy Pastuf, Mike Sligar, Erin Gardner, Beth Morris, Deputy Fire Chief Russ Randall, Chris Audette, Margaret Waggoner, Gene Hayes, Brian Phelps, David Wurzburg, Police Chief Donoghue, Aaron Haverill

The City Manager presented the following reports to Council:

- Resolution No. 1 -Appointment to Transportation Commission, Susan Beaman
- Resolution No. 2- Establishing Standard Work Day and Reporting for Appointed Officials
- Resolution No. 3 - Approving Lease Agreement Between the City of Watertown and Watertown Bucks, Inc.
- Resolution No. 4 - Approving Appendix B to Contract Between the City of Watertown and State of New York, Unified Court System
- Resolution No. 5 - Amendment No. 100 to the Management and Management Confidential Pay Plan
- Resolution No. 6 - Approving Change Order No. 4 to Waste Water Disinfection Improvement Project, Electrical Work, Dow Electrical Inc.
- Resolution No. 7 - Approving Amendment No. 6 to Professional Services Agreement, GHD Consulting Engineers LLC
- Resolution No. 8 - Approving Change Order No. 6 to Waste Water Disinfection Improvement Project, HVAC, Hyde-Stone Mechanical
- Tabled Resolution - Approving Intergovernmental Agreement Relative to Dog Control Services With County of Jefferson
- Tabled Resolution - Approving Whitewater Park Public Access Limited Use Agreement with Hole Brothers Holdings, LLC
- Performance Review of City Manager and City Clerk
- Permanent Appointment of City Engineer
- Tax Sale Certificate Assignment – 591 Rear Main Street West
- Fiscal Year 2013-14 Audit Report
- Sales Tax Revenue – December 2014
- Letter of January 7, 2015 Requesting a Waiver of Fees

Complete Reports on file in the office of the City Clerk

Meeting opened with a moment of silence.

Pledge of Allegiance was given.

The reading of the minutes of the regular meeting of January 5, 2015 was dispensed and accepted as written by motion of Council Member Roxanne M. Burns, seconded by Council Member Stephen A. Jennings and carried with all voting in favor thereof.

PRESENTATIONS

Mayor Graham interrupted the regular course of business for a presentation on the Independent Auditors' Report for the Fiscal Year Ending June 30, 2014, given by Liz Bush, CPA, of Bowers & Company CPAs PLLC.

Ms. Bush addressed the chair and began the presentation by pointing out the Independent Auditors' Report and the Opinion found on page 2. She noted page 4 which began Management's Discussion and Analysis, which is required supplementary information written by the City Comptroller. Ms. Bush directed Council to page 19.

Mayor Graham asked about information on page four and noted revenues were just slightly below expectations by about \$12,000, and the expenditures were under by about \$2,900,000. Instead of utilizing the full \$3,200,000 in fund balance which was budgeted, he said the City utilized \$300,000.

Ms. Bush replied that is correct, using round numbers. There is a required supplementary schedule on page 67. She further explained it is the Budgetary Comparison Schedule for the General Fund, which also encompasses the self insurance fund and the tourism fund. She noted the original budgeted amounts and final budgeted amounts and pointed out the actual amounts which tie back to the fund statements. There was a shortfall in sales tax revenue, as \$18 million was budgeted and \$17 million was brought in. The surplus sale of hydropower accounts for approximately a \$500,000 increase, she said. There are fluctuations among various revenue accounts but in total the revenue was just under \$12,000 compared to the budget. On the expenditure side the amounts are detailed from the original and final budget and the actual amounts, which were in a favorable position and shows the City did not over-expend in some of the budgetary accounts. There was a slight deficiency in expenditures over the revenues. She discussed the appropriation of the prior year's fund balance. There is \$3.2 million in the original column and about \$3,242,000 in the final column, and includes the amounts appropriated from the previous year which according to the budget was \$1,500,000 and the sidewalk reserve for \$61,000, and capital reserves for \$1,200,000. Also in that amount, she said, is the amount in the self insurance fund which was \$200,000.

Council Member Butler pointed out that when Council looks at budgets through the year, they look at the \$1,500,000 as the appropriated fund budget, when really the forecasted deficit was more like the \$3.2 million, which includes \$1.5 million taken from the general fund to offset some of the anticipated expenses.

Discussion centered on the use of the \$3,295,578 in appropriated fund balance and under the final budgeted amount there is a deficiency of \$3.24 million, and the discrepancy between the two figures.

Ms. Bush replied the original \$3.295 million was for the general fund and in the risk retention fund, which is one of the funds included in the compensated reserve fund, there was an \$80,000 adjustment that was in the final number. She referred Council back to page 19, which is the start of the Government Wide Statements Page. The statement of Net Position includes the balance sheet items and capital assets, as well as long term debt for serial bonds. Also included is the OPEC Liability, referred to as the accrued post employment benefits for retirees, which totals \$13,661,560 this year and is an increase of over \$3 million from the prior year. That number is calculated by the actuary annually, she said. It is not funded and is more of a pay-as-you-go system. The total net position is \$91 million this year, which is a decrease from the prior year of about four percent. Ms. Bush reviewed the Statement of Activities on page 20, and referred Council's attention to the bottom of the page showing the Change in Net Position, which decreased by \$3.8 million from the prior year. Part of that is attributed to the City receiving a one-time payment from the State, which was not received this year. The OPEC liability increased by \$3.6 million, she added.

Council Member Butler referred to page 20, Total Government Activities net \$35,674,628, and revenues at \$31 million, which would include some depreciation expenses that might not be accurate in terms of revenues and expenses in trying to balance the budget during the year.

Ms. Bush said that is correct and this particular schedule is on the full accrual basis, it includes things such as depreciation and the change in retirement benefits. Depreciation is about \$4 million for governmental activities, she said, and about \$1.3 million in the proprietary funds. She then reviewed page 21, which has statements that do not include any of the accruals for serial bonds or capital assets. Ms. Bush pointed out the total fund balance is \$16,723,738, and out of that the unassigned portion is \$9,100,000 this year, which represents about 22% of the general fund expenditure. Among the other highlights of the fund balance is that Council appropriated \$1.5 million for the 2013-2014 budget and the appropriation for the 2014-15 budget is only \$600,000. Ms. Bush pointed out that this year they separated out the Community Development Fund that includes the CDBG, Home, and Restore Grants because it is a major fund. She further reviewed the audit and explained page 23 which shows the Statement of Revenues, Expenditures and Changes in Fund Balances – Governmental Funds. She pointed out a decrease in the fund balance of about \$588,000 this year. In addition, sales tax revenue accounts for about 41% of the total revenue with real property taxes behind that at 19%. Ms. Bush explained page 25 which breaks down the Water and Sewer Funds.

She directed Council to page 26, the Statement of Revenues, Expenditures and Changes in Net Position – Proprietary Funds, pointing out an increase in the water fund in operating revenues of about four percent, and a decrease of about 2% in the sewer fund revenues. Overall, the change in the net position in these funds increased by \$752,000. She then reviewed page 27. On page 30, the financial statements begin, which includes a summary of significant accounting policies. Page 42 shows the Cash and Investments Note and Ms. Bush pointed out that the cash and investments for the year were either fully insured by the FDIC or collateralized. She reviewed the Capital Assets on pages 43 and 44. Page 47 referred to Notes related to debt and said there was no short term debt to issue or retire during the year. The long term debt note shows the balances at the beginning and end of the year. There were two debt issuances, one for over \$5 million for the sewer fund project and \$1,195,000 for various capital projects.

Council Member Butler asked about the net indebtedness of \$16 million detailed on page 16 with regard to the total debt of \$26,020,000 with the difference being the water and sewer debt.

Ms. Bush explained that if the water and sewer debt is backed out from the \$26 million, the figure would be \$14,452,000. She said the difference between the \$14 million and \$16 million amounts includes the general obligation bonds. Upon further review, Ms. Bush said she would have to take a look at it.

James Mills, City Comptroller, said he thinks the \$16 million figure came from was the budgetary debt limit page which was prior to the City's refundings so he said he will look into that.

Ms. Bush reviewed the retirement benefit notes, beginning on page 52. There has been a slight increase since 2012 for contributions but there should be a small decrease in the current year for contribution rates. Page 55 highlights post employment benefits. Page 68 begins the compliance section of the audit. The Schedule of Expenditures of Federal Awards is on page 73 and a summary of audits for federal awards can be found on page 75. Ms. Bush detailed Note A on page 75.

Mayor Graham commented there was another audit done by the State on the CDBG.

Kenneth Mix, Planning Coordinator, said the City has not received the results yet.

There is a Management Letter as well in the audit report which states comments and recommendations. Ms. Bush said it explains an accounting procedure manual as there are new people training and it is recommended the City write down any accounting and bookkeeping practices as well as any information that would help new employees. That process has been started, she said, pointing out a payroll section that is very detailed. There was also a recommendation to increase capitalization thresholds for the fixed assets. She also stressed establishing a whistleblower policy and procedure and incorporating that into the Human Resources or Personnel Manual so there are policies in place in case someone had concerns they would have a way to go about expressing them.

Council Member Butler asked about the long term debt figure on page 49, and compared it with a figure on page 47.

Ms. Bush explained the difference reflects the interest.

Council Member Butler said he appreciates her comments about the bookkeeping practices and loss of key personnel and putting the procedures in writing, and noted that should be a priority for this year.

COMMUNICATIONS

A letter was received from S.G. Gates, 157 Dorsey Street, regarding the dangers of the Factory Street dog park location.

A letter was received from the second grade teachers at Antwerp Primary School requesting a waiver of fees for ice skating at the Arena for a school activity.

Above communications were placed on file in the office of the City Clerk.

PRIVILEGE OF THE FLOOR

Christa Harris, 405 Fairview Street, addressed the chair by reading from a prepared statement (not on file in the Office of the City Clerk) regarding her concerns with a dog park at the Factory Street location. She mentioned concerns with noise and that the residents in her neighborhood are not in favor of a dog park in that location but rather in Thompson Park. She presented 18 signatures from some of her neighbors in opposition to a dog park at Factory Street (on file in the Office of the City Clerk.) With regard to a meeting held on the proposed project, she added that none of the people in her neighborhood were invited so they did not get a chance to voice their concerns. If a dog park is built in that location, she said the quality of life for her neighborhood will be highly negatively impacted as the park will be open from 7:00 a.m. until 9:00 p.m. most of the year. She mentioned the layout of the dog park and that it is lacking enough shade and the fence outline creates areas where dogs could feel cornered. Ms. Harris noted that she feels the majority of people would rather have the dog park located in Thompson Park, where people go routinely already. She urged the Mayor and Council to take another look and build the park in Thompson Park.

RESOLUTIONS

Resolution No. 1 – Appointment to Transportation Commission, Susan Beaman

Introduced by Council Member Stephen A. Jennings

RESOLVED that the following individual is appointed to the Transportation Commission to fill the unexpired term of Roberta Hagerty, such term expiring on April 1, 2016:

Susan Beaman
102 Creek Wood Drive, Apt. 1
Watertown, NY 13601

Seconded by Council Member Roxanne M. Burns and carried with all voting yea.

Resolution No. 2 – Establishing Standard Work Day and Reporting for Appointed Officials

Introduced by Council Member Teresa R. Macaluso

BE IT RESOLVED, that the City of Watertown (Location Code 20056) hereby establishes the following standard work days for these titles and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

Appointed Officials

Title	Name	Standard Work Day (Hrs/day)	Current Term Begin & End Dates	Participates in Employer's Time Keeping System	Record of Activitie s Result

City Clerk	Ann Saunders	7	05/01/13 – 04/30/15 *	Yes	N/A
Deputy City Clerk	Amanda Lewis	7	05/01/13 – 04/30/15 *	Yes	N/A
Deputy City Clerk	Margaret Puccia	7	05/01/13 – 04/30/15 *	Yes	N/A
City Manager	Sharon Addison	7	07/01/14 – 06/30/16 *	Yes	N/A
Confidential Assistant to the City Manager	Elizabeth Morris	7	07/01/14 – 06/30/16 *	Yes	N/A
Confidential Secretary to the City Manager	Elaine Giso	7	07/01/14 – 06/30/16 *	Yes	N/A
City Comptroller	James Mills	7	07/01/14 – 06/30/16 *	Yes	N/A
Deputy City Comptroller	Christine Audette	7	07/01/14 – 06/30/16 *	Yes	N/A
Superintendent of Public Works	Eugene Hayes	7	07/01/14 – 06/30/16 *	Yes	N/A
Superintendent of Parks and Recreation	Erin Gardner	7	07/01/14 – 06/30/16 *	Yes	N/A
Superintendent of Water	Michael Sligar	7	07/01/14 – 06/30/16 *	Yes	N/A
Planning & Community Development Coordinator	Kenneth Mix	7	07/01/14 – 06/30/16 *	Yes	N/A
Executive Secretary to the Civil Service Commission	Amie Davis	7	07/01/14 – 06/30/16 *	Yes	N/A
City Engineer	Justin Wood	7	09/15/14 – 06/30/16 *	Yes	N/A

* Current Term Begin and End Dates defined only for the purpose of this resolution

I, Ann M. Saunders, Clerk of the governing board of the City of Watertown, of the State of New York, do hereby certify that I have compared the foregoing with the original resolution passed by such board, at a legally convened meeting held on the 20th day of January, 2015 on file as part of the minutes of such meeting, and the same is a true copy thereof and whole of such original.

IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the City of Watertown on this 20th day of January, 2015.

Date enacted _____

(Signature of Clerk)

Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.

Resolution No. 3 – Approving Lease Agreement Between the City of Watertown and Watertown Bucks, Inc.

Introduced by Council Member Joseph M. Butler Jr.

WHEREAS the City of Watertown owns and operates a facility known as the Alex T. Duffy Fairgrounds and the Fairgrounds are a community recreational facility, and

WHEREAS the City of Watertown desires to promote recreational activities at the Fairgrounds for the valid public purpose of the benefit, recreation, entertainment, amusement, convenience and welfare of the people of the City, and

WHEREAS in pursuit of that valid public purpose, the City of Watertown desires to contract for the use, operation, management and maintenance of the Fairgrounds baseball facilities and all baseball-related activities, and

WHEREAS the Watertown Bucks, Inc. owns and operates a summer professional baseball team, as a member and franchise of the East Coast Baseball League, and

WHEREAS the Watertown Bucks, Inc. desires to have its team play baseball games within the confines of the Fairgrounds baseball fields and is in a unique position to contract to use, operate, manage and maintain the Fairgrounds baseball facilities,

WHEREAS the City has undertaken a substantial capital improvement project for the Fairgrounds in furtherance of the public purpose of keeping baseball in the City for the recreation, entertainment, and welfare of the people of the City, including the economic benefit such a team can bring,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Lease Agreement between the City and the Watertown Bucks, Inc., a copy of which is attached hereto and made part of this resolution, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute the Lease Agreement on behalf of the City of Watertown.

Seconded by Council Member Teresa R. Macaluso

Prior to the vote on the foregoing resolution, Council Member Butler referred to page four of the lease agreement under section D, he asked if that paragraph is an option or an obligation by the baseball team.

Attorney Slye responded it is an obligation.

Council Member Butler noted page seven, Section X – Concession Space, paragraph B, which pertains to attendance and the money that will be paid to the City depending on how many spectators are present. He asked how the City will verify the attendance.

Erin Gardner, Superintendent of Parks and Recreation, replied that this information was added when there were concerts held at the ball park but concerts are not allowed there anymore. She added that the issue has not come in to play in the last three seasons since she has been with the City.

Attorney Slye noted that it was put in because rather than having the comptroller's office audit the sales of each event, the City increased by a specified amount how much the organization would pay.

Council Member Butler asked about the sale of alcoholic beverages. On page five, the second paragraph mentioned "...the times of alcohol service must be no earlier than one-half hour prior to the commencement of any game..." Under section two on the same page, Council Member Butler pointed out it states that the sale of "...alcohol shall not be allowed more than one hour prior to the commencement of the event..." The paragraph above that refers to baseball games specifically, he said, and that "At no time shall alcohol sales begin more than one hour prior to the start of the game..." He asked if that was conflicting language or if it was intended to be that way.

Ms. Gardner said it sounds conflicting so it will have to be discussed with Attorney Slye.

Attorney Slye replied he does not know how it ended up being different.

Mayor Graham asked if the Councilman wished to amend the agreement.

Council Member Butler noted he would amend it to include in the second paragraph from the bottom on page five that "...alcohol sales being no more than one-half hour prior to the start of the game..." to be consistent with the above paragraph.

Mayor Graham inquired if he would rather have everything be one hour.

Council Member Butler said it does not matter to him.

Mayor Graham asked Ms. Gardner what her preference was.

Ms. Gardner said she believes they open the doors an hour before the games start.

It was reiterated that the agreement should be amended.

Motion was made by Council Member Butler to amend the lease agreement on page five, a portion of the first full paragraph to read "... the times of alcohol service must be no earlier than one hour prior to the commencement of any game..."

Motion was seconded by Council Member Macaluso and carried with all voting in favor thereof.

At the call of the chair, vote was taken on the foregoing resolution and carried with all voting yea.

Resolution No. 4 – Approving Appendix B to Contract Between the City of Watertown and State of New York, Unified Court System

Introduced by Council Member Stephen A. Jennings

WHEREAS the City of Watertown, New York is responsible for providing and maintaining space for the operation of City Court, and

WHEREAS reimbursement for such services is available to the City from the Unified Court System of the State of New York,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves the Court Cleaning and Minor Repair Program Proposed Budget, Appendix B to the contract between the City of Watertown and the State of New York Unified Court System for Fiscal Year 2014-2015, and

BE IT FURTHER RESOLVED that the City Manager, Sharon Addison, is hereby authorized and directed to execute the document on behalf of the City of Watertown.

Seconded by Council Member Joseph M. Butler Jr. and carried with all voting yea.

Resolution No. 5 – Amendment No. 100 to the Management and Management Confidential Pay Plan

Introduced by Council Member Roxanne M. Burns

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown, New York, hereby approves Amendment No. 100 to the Management and Management Confidential Pay Plan, for the position listed below, as follows:

<u>Position</u>	<u>Salary</u>
Benefits Administrator	\$40,000
Chief Water Treatment Plant Operator	\$56,107

Seconded by Council Member Stephen A. Jennings and carried with all voting yea.

Resolution No. 6 – Approving Change Order No. 4 to Waste Water Disinfection Improvement Project, Electrical Work, Dow Electrical Inc.

Introduced by Council Member Teresa R. Macaluso

WHEREAS on June 3, 2013, the City Council of the City of Watertown approved a bid submitted by Dow Electric, Inc. in the amount of \$493,000.00 for the electrical work for the Waste Water Disinfection Improvement Project, and

WHEREAS City Council approved Change Order No. 1 reducing the amount of \$1,824.91 on February 18, 2014, and

WHEREAS City Council approved Change Order No. 2 in the amount of \$16,672.88 on August 4, 2014, bringing the total contract amount to \$507,847.97, and

WHEREAS City Council approved Change Order No. 3 for a 35 day extension of time to the contract, and

WHEREAS Dow Electrical Inc. has now submitted Change Order No. 4 in the amount of \$4,500 bringing the final contract amount to \$512,347.97,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 4 to the contract with Dow Electrical Inc., a copy of which is attached and made part of this resolution, bringing the final contract amount to \$512,347.97 for the electrical work for the Waste Water Disinfection Improvement Project, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute the Change Order documents on behalf of the City of Watertown.

Seconded by Council Member Stephen A. Jennings

Prior to the vote on the foregoing resolution, Council Member Butler asked about the fire alarm panel and if it was left out of the original bid.

Justin Wood, City Engineer, replied the plan had the fire suppression system designed for the chemical building and there was not a fire panel shown to tie it back to the control building so it was unanticipated work. It has been installed, he added. Mr. Wood explained how the \$4,500.00 figure was arrived at for the change order. He said there are some connections on two other areas on the mixers and some electrical connections that had to be made which was also additional work, bringing the \$4,116.56 figure to \$4,500.00.

Council Member Butler inquired about the \$534.56 figure.

Mr. Wood referred to RFP-06E, which is a separate cost referring to tying it in to the control building unit and some extra electrical communications which were deemed to be unnecessary so that option was not picked up.

Council Member Butler asked what the protocol is when someone is hired to do the design and they miss a detail such as this, and there have been a lot of change orders. He added that he has a little bit of a problem on this resolution.

Mr. Wood noted that the best is done according to the designs and the requirements and inspections are done to reveal specifics. He added that if the panel had been in the design it would have been bid on and the City would have paid for it anyway.

At the call of the chair, the vote was taken on the foregoing resolution with all voting yea, except Council Member Joseph M. Butler Jr. voting nay.

Resolution No. 7 – Approving Amendment No. 6 to Professional Services Agreement, GHD Consulting Engineers LLC

Introduced by Council Member Stephen A. Jennings

WHEREAS on August 20, 2012, the City Council of the City of Watertown approved Amendment No. 1 to Professional Services Agreement with GHD Consulting Engineers LLC for the disinfection improvements to the Watertown Wastewater Treatment Plant, and

WHEREAS on January 2, 2013, the City Council of the City of Watertown approved Amendment No. 2 to Professional Services Agreement with GHD Consulting Engineers LLC, and

WHEREAS on April 23, 2013, the City Council of the City of Watertown approved Amendment No. 3 to Professional Services Agreement with GHD Consulting Engineers LLC, and

WHEREAS on April 21, 2014, the City Council of the City of Watertown approved Amendment No. 4 bringing the total amount to \$774,700, and

WHEREAS on October 6, 2014, the City Council of the City of Watertown approved Amendment No. 5 bringing the total amount to \$795,200, and

WHEREAS GHD Consulting Engineers LLC has now submitted Amendment No. 6 which results in an additional amount of \$31,800 to the Agreement,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown hereby approves Amendment No. 6, a copy of which is attached and made part of this resolution, in the amount of \$31,800 bringing the total amount to \$827,000 to Professional Services Agreement with GHD Consulting Engineers LLC for the disinfection improvements to the Watertown Wastewater Treatment Plant, and

BE IT FURTHER RESOLVED that the City Manager Sharon Addison is hereby authorized and directed to execute the Agreement on behalf of City Council.

Seconded by Council Member Teresa R. Macaluso and carried with all voting yea.

Resolution No. 8 – Approving Change Order No. 6 to Waste Water Disinfection Improvement Project, HVAC, Hyde-Stone Mechanical

Introduced by Council Member Stephen A. Jennings

WHEREAS on June 3, 2013, the City Council of the City of Watertown approved a bid submitted by Hyde-Stone Mechanical in the amount of \$473,568.00 for the HVAC work for the Waste Water Disinfection Improvement Project, and

WHEREAS City Council approved Change Order No. 1 in the amount of \$1,623.80 on February 18, 2014, and

WHEREAS City Council approved Change Orders Nos. 2 and 3 on August 4, 2014 bringing the total contract amount to \$476,475.80, and

WHEREAS City Council approved Change Orders Nos. 4 and 5 on October 6, 2014 bringing the total contract amount to \$477,614.80, and

WHEREAS Hyde-Stone Mechanical has now submitted Change Order No. 6 in the amount of \$5,985 bringing the total contract amount to \$483,599.80,

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Watertown approves Change Order No. 6 to the contract with Hyde-Stone Mechanical, a copy of which is attached and made part of this resolution, in the amount of \$5,985 bringing the total contract amount to \$483,599.80 for the HVAC Mechanical work for the Waste Water Disinfection Improvement Project, and

BE IT FURTHER RESOLVED that City Manager Sharon Addison is hereby authorized and directed to execute the Change Order documents on behalf of the City of Watertown.

Seconded by Council Member Teresa R. Macaluso

Council Member Butler recused himself from the vote due to a business relationship between his place of employment and Hyde-Stone Mechanical.

At the call of the chair, vote was taken on the foregoing resolution with all voting yea, except Council Member Butler who recused himself.

OLD BUSINESS

The Resolution “Approving Intergovernmental Agreement Relative to Dog Control Services With County of Jefferson”. *(Introduced on December 15, 2014; appears in its entirety in the 2014 Minutes Book on page 7-8 of the 12/15/2014 minutes).*

There was no motion to remove it from the table.

The Resolution “Approving Whitewater Park Public Access Limited Use Agreement with Hole Brothers Holdings, LLC”. *(Introduced on October 20, 2014; appears in its entirety in the 2014 Minutes Book on page 3 of the 10/20/2014 minutes).*

There was no motion to remove it from the table.

STAFF REPORTS

Performance Review of City Manager and City Clerk

Mayor Graham pointed out the staff reports before Council which include the performance review of the City Manager and City Clerk. He noted Council will be receiving some material this week and asked that they be prepared to discuss it to come up with some findings.

Permanent Appointment of City Engineer

He wished congratulations to Mr. Wood, the newly appointed City Engineer.

Tax Sale Certificate Assignment – 591 Rear Main Street West

Mayor Graham inquired about the property.

James Mills, City Comptroller, replied that Mr. Yelle had the high bid and has declined to close on the transaction realizing that he has lost his \$2,000.00 or ten percent bid. He said he contacted Mr. Schweitzer who was the only other participant bidding on that parcel and said he would be interested in it and set an opening bid at \$1,000.00.

Mayor Graham said he would recommend that a resolution be drafted to complete the sale.

Council Member Burns noted she would support that as well.

Letter of January 7, 2015, Antwerp Primary School Requesting a Waiver of Fees

Council Member Burns commented that as much as that would be a nice thing to do, she supports Ms. Gardner in that if the waiver was granted for this, it would have to be done for all area schools.

Council Member Macaluso said she agrees and that the City cannot start giving things away.

In response to a question by Council Member Butler, Ms. Gardner said the fees would be \$2.00 for a student to skate and \$2.00 to rent skates. He also asked how many people would be using the facility.

Council Member Macaluso noted there would be 60 people attending.

Council Member Butler and Mayor Graham said they would waive the fees.

There were requests from other schools, Council Member Macaluso said, asking for the same thing. She said she may feel differently if it were the City school district, as those people pay taxes in the City.

Council Member Burns added that she believes the Antwerp Primary School is a part of the Indian River School District, which is the district that gets the most State aid out of any in the county. She referred to

the statement that they are a high poverty school but stated that is not based on the total assessed value of their assessment roll. Regarding aid, she added they are wealthier than the City School District. To play devil's advocate, she said IHC could approach Council and say they receive no State aid and that those children should be able to skate for free. She said she is not sure where it would end if this flood gate was opened.

Council Member Jennings said perhaps they are not the wealthiest but they are the most federally and state funded.

Council Member Butler noted the federal aid is not paying for the skates, but the children are. The City has waived fees for good causes in the past, he said, such as for Wounded Warriors.

Council Member Macaluso replied that every school district outside of this area will want a waiver of fees and it could be a lot of ice time given up which could take away from potential revenue.

Council Member Butler asked if this request would take away from ice time.

Ms. Gardner said it will not take away from ice time that someone else uses. She noted that Council did agree last year not to waive the fees for Wounded Warriors and agreed to allow an organization to give their time but the time was still paid for. In the last couple years, she said, the City has tried to get away from waiving fees because if it is done for one entity, there will be a lot of requests.

Mayor Graham noted it appears the majority of Council does not want to pursue that action anyway.

The following reports were available for Council's Review:

Fiscal Year 2013-14 Audit Report

Sales Tax Revenue – December 2014

NEW BUSINESS

City Engineer

Council Member Burns noted this has already been discussed but wished again to say she is very pleased that Mr. Wood decided to accept the permanent appointment of City Engineer that the City Manager offered to him. She said it is always nice when the City can promote from within and she looks forward to Mr. Wood having a long and successful career with the City. Council Member Burns added that he has done a great job so far and that she expects great things in the future.

Outdoor Ice Rink- J.B. Wise Parking Lot

Council Member Butler said he drove by the outdoor rink over the weekend and it was good to see people using it and it is a great location.

In addition, Mayor Graham commented that Council Member Butler was too modest on the ice rink topic as it was Council Member Butler's suggestion as far as the location.

Dog Control Agreement

Council Member Butler commented that there were only a few questions on that matter and he does not know why there is such a delay.

Cleanup on Washington Street

Council Member Butler noted that he believes it is in the 700 block where children were not able to walk on the sidewalks past three houses. He said he believed he asked it to be cleared and knows there has to be a certain procedure to deal with these matters. A follow-up would be appreciated, he said.

Mayor Graham added that he agreed it should be cleared out.

Maggie's Deck - Response from Department of State

Council Member Jennings inquired about communication from the Department of State regarding the Whitewater Park public access.

Attorney Slye replied there has been email correspondence from the associate attorney at the Department of State on Friday, indicating her review was finished and was passing it to her superior to finalize that review. The City would be hearing back shortly, he said. The State is aware that the owner of the restaurant requires at least two months to work on the liquor authority permit and Attorney Slye said Attorney Hector is working on the matter as well.

Knickerbocker Drive Traffic

Council Member Jennings said there was a meeting held to discuss the traffic congestion outside the elementary school. In attendance at the meeting were himself, the City Manager, the City Engineer, as well as the school district Board of Education Transportation Committee, Superintendent Fralick, and the school district's attorney. There were a combination of efforts discussed to alleviate the situation including making the street one-way, restricting stopping and parking during peak hours along the north side of the street, and reconfiguration of the parking lot by the school district to allow for more off-street parking. At the end of the meeting an agreement was reached to propose making the street one-way; which is believed to make the street safer for school children and help to alleviate the traffic congestion. It would still include eliminating stopping and parking along the north side of the street during peak hours and eliminate that option at all times in the last 300 feet, from the bend in the road to Gotham Street. Parking restrictions on the north side of the street would be contingent on the school providing additional off-street parking to accommodate the displaced vehicles, he said. There was also consensus that the school would explore expanding the parking lot, and perhaps add a parking loop in the front of the school, or a driveway around the back perimeter of the school. The school district is committed to examining these options, he said, to improve off-street parking as part of the upcoming capital improvement plan. The next step would be to reach out to the property owners on Knickerbocker Drive. The school, he said, would host a forum for all parties to discuss the issues and Council Member Jennings said he would let Council know the date when it becomes available. He said he plans to sponsor an ordinance for Council approval to make Knickerbocker Drive one-way following the forum.

Mayor Graham asked if it will be one-way from Myrtle Avenue.

Council Member Jennings explained it will be from Ward Street to Gotham.

Council Member Macaluso commented they sound like good ideas but said she would like to see them improve the property before the City creates a one-way street.

Council Member Jennings said Council should focus on the children and making the street one-way is a great first step. The school has to get approval from the State Education Department and a lot of the capital improvement projects will not be happening until 2016. He added that this is a decade old problem and it never gets addressed. Knickerbocker had attempted to address this seven or eight years ago to alleviate the issue, he said, and noted the importance of hearing from the residents of the street. There are other one-way streets in the City that work, such as Winthrop Street which also has a school on it.

Council Member Macaluso reiterated that she would like to hear from the neighborhood residents before there are changes made.

Council Member Burns questioned if Council Member Jennings wishes to offer an ordinance prior to hearing input from the residents on that street.

He said he would like to hear from them, but the answer is to have a one-way street solution which is what the School Board and School Transportation Commission also agreed with.

The School Board and district are very good neighbors, Council Member Burns said, but there are taxpayers on that street that will be affected by this. Council is certainly concerned about the children, she said, and she understands it is a longstanding issue but it would be premature to decide what the answer is before hearing from the residents. She agreed that it has been a longstanding issue but said that she does not agree with the assessment that it has been ignored. There was a point, she said, where the school district was supposed to come up with a solution which had to do with another entrance onto the school grounds from the back of the school off of Bishop Street. She said she does not know what happened to that plan.

Council Member Jennings noted that option was discussed in this round of talks as well.

It would be premature to consider an ordinance prior to hearing from the residents and to say the school district will consider this as part of a capital budget however many years down the road, Council Member Burns said. The district has an obligation to protect those children as much as Council does, in fact it is more their responsibility than Council's, she added. There was a similar situation several years ago on Sherman Street and she said she worked with the school district and the Board of Education at that time. There were several solutions at that time such as increasing parking, which she urged Knickerbocker to do as well.

Mayor Graham wished to clarify that if an ordinance is introduced, the public hearing will be at City Council.

Attorney Slye noted that it is not a Local Law and therefore there would be no public hearing. People would be encouraged to come to privilege of the floor and speak about it but there is no statutory authorization for a public hearing on an ordinance, other than a change to a zoning ordinance. He added that there does not have to be a review from the Planning Board. It needs review by the DPW Superintendent and Police Chief, but that is a staff issue rather than a public input issue.

Mayor Graham commented that he assumes any staff issues would be worked out prior to the ordinance being introduced.

Council Member Butler asked if it would be all year.

That question was discussed, Council Member Jennings said, about doing a flex schedule but came to the conclusion it was not realistic and it would be confusing. The school is very committed to it, he said, and they expanded the parking lot seven or eight years ago and that solution has not worked. He said it is both the school district's and Council's responsibilities on the matter and is happy to sponsor the legislation. He said he would like to hear from people and perhaps some other solution will be presented, but he would like to move forward.

Council Member Macaluso said she was not against it but the people who live on that street should be the ones determining that and not Council, the School Board, Knickerbocker or the people dropping their children off at school. As a resident of that street, she said she does not see that many people coming out of that direction on a day to day basis. She said she does not want to disrupt people's lives.

Motion was made by Council Member Butler to move into Executive Session to discuss the employment history of a particular individual.

Motion was seconded by Council Member Macaluso and carried with all voting in favor thereof.

Council moved into Executive Session at 8:20 p.m.

Council reconvened at 8:36 p.m.

ADJOURNMENT

At the call of the chair, meeting was duly adjourned at 8:36 p.m. by motion of Mayor Graham, seconded by Council Member Jennings and carried with all voting in favor thereof.

Amanda C. Lewis
Deputy City Clerk